

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THE AMERICAN MEDICAL  
ASSOCIATION, *et al.*,

Plaintiffs,

Master File No.

00 Civ. 2800 (LMM)(GWG)

-vs-

UNITED HEALTHCARE  
CORPORATION, *et al.*,

Defendants

USDC SDNY  
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DOC #:  
DATE FILED: 29 OCT 2010

FILED  
U.S. DISTRICT COURT  
2010 OCT 29 AM 10:52  
S.D. OF N.Y.

**NOTICE OF APPEAL FROM  
JUDGMENT APPROVING SETTLEMENT**

PLEASE TAKE NOTICE that Objector and unnamed Class Member Gleith Cozby, having timely filed his objection to the proposed class action settlement, hereby appeals to the United States Court of Appeals for the Second Circuit from this Court's October 5, 2010 Judgment Approving Settlement Certifying Settlement Class, and Directing Entry of Final Judgment [Dkt. No. 526].

Respectfully submitted,



Leland L. Greene

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DOC #:  
DATE FILED: 10/05/2010

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
THE AMERICAN MEDICAL ASSOCIATION, :  
et al., :

Plaintiffs, :

-against- :

UNITED HEALTHCARE CORPORATION, :  
et al., :

Defendants. :  
-----X

Case No. 00 Civ. 2800 + 00 Civ. 7246 (LMM)  
(LMM) (GWG)

**JUDGMENT DISMISSING ACTION  
AGAINST DEFENDANTS WITH PREJUDICE**

In accordance with, and for the reasons set forth in, the Order Approving Settlement, Certifying Settlement Class, and Directing Entry of Final Judgment, entered on October 5, 2010, by the Honorable Lawrence M. McKenna, United States District Judge, this action is dismissed with prejudice as to defendants United Healthcare Corporation, n/k/a UnitedHealth Group Incorporated, United Healthcare Insurance Company, United Healthcare Insurance Company of New York, Inc., United Healthcare of the Midwest, Inc., United Healthcare Services, Inc., United Healthcare Services of Minnesota, Inc., United Healthcare Services Corporation, Ingenix, Inc., Metropolitan Life Insurance Company, and American Airlines, Inc. pursuant to Rule 54(b) of the Federal Rules of Civil Procedure.

Dated: New York, New York  
October 5, 2010

  
Clerk of the Court

**MEMO ENDORSED**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THE AMERICAN MEDICAL ASSOCIATION, et al., :

Plaintiffs, :

-against- :

UNITED HEALTHCARE CORPORATION, et al., :  
Defendants. :

Case No. 00 Civ. 2800  
(LMM)(GWG)

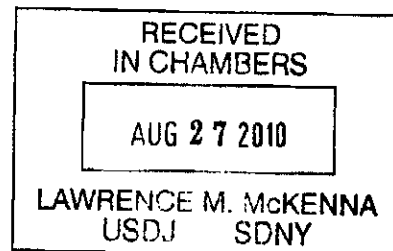
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DOC #:  
DATE FILED: 9/20/2010

**MOTION FOR AN ORDER GRANTING FINAL APPROVAL OF THE  
PROPOSED SETTLEMENT AND MOTION OF CLASS COUNSEL FOR  
AWARD OF ATTORNEYS FEES, REIMBURSEMENT OF EXPENSES AND  
COMPENSATORY PAYMENTS TO CLASS REPRESENTATIVE PLAINTIFFS**

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 23(e), and upon the accompanying papers, and upon all prior proceedings and pleadings had herein, Class Plaintiffs will move this Court before the Honorable Lawrence M. McKenna, United States District Judge for the Southern District of New York, on September 13, 2010 at 10:30 A.M. or as soon thereafter as counsel can be heard, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, for an Order granting Final Approval of the Proposed Settlement. Defendants join in this Motion and will be submitting a separate memorandum of law in support.

PLEASE TAKE FURTHER NOTICE that, pursuant to Fed. R. Civ. P. 23(h), and on the accompanying papers, Class Counsel will move this Court for an Award of Attorneys Fees, Reimbursement of Expenses and Compensation to Class Representative Plaintiffs as follows:

1. An award of \$87,500,000, representing 25% of the Cash Settlement Fund, not including interest of approximately \$12,000,000.00 that has been earned;
2. An award of \$1,500,000 for expenses incurred by Class Counsel in the prosecution of this Action; and




3. Compensatory awards of \$25,000.00 for each of the individual Class Representative Plaintiffs.

Pursuant to the Court's Order of August 24, 2010, any Settlement Class Member who has submitted an objection to the request for fees and expenses must file any answering papers to the Rule 23(h) motion for Award of Attorneys Fees, Reimbursement of Expenses and Compensation to Class Representative Plaintiffs by September 10, 2010.

Respectfully submitted,

POMERANTZ HAUDEK  
GROSSMAN & GROSS LLP

  
D. Brian Hufford

*Motion granted. After consideration of the  
Guinnell factors (see City of Detroit v. Grinnell  
Corp. (495 F.2d 448, 2d Cir., 1974), the Court finds the  
Settlement to be fair, adequate and reasonable.  
The Court has considered all objections and finds  
none persuasive. The fees and expenses and com-  
pensatory awards are reasonable in light of the  
complexity of the case and the result (and notes,  
regarding the objections of the AHA and others,  
that the initial objections of the Wilentz firm  
and others assisted the Court in better under-  
standing the issues, and that the 5-day hear-  
ing of all objections resulted in enabled the  
final approval hearing to be completed in less  
than one full day). The Court is persuaded by  
defendants' arguments that the Settlement  
does not involve any violation of ERISA.  
Submit judgment on notice. So ordered.*

*W. H. V. ———  
(LD) 9/10/10*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X

THE AMERICAN MEDICAL ASSOCIATION,  
et al.

00 Civ. 2800 (LMM) (GWG)

Plaintiffs,

**CERTIFICATE OF SERVICE**

- against -

UNITED HEALTHCARE CORPORATION,  
et al.


Defendants.

X

**Leland L. Greene**, an attorney admitted to practice law before the Courts of the State of New York and this Court, certify under the penalties of perjury that I served the foregoing Notice of Appeal and Notice of Change of Address upon those listed on the attached Service List.

Dated: Garden City, New York  
October 28, 2010

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